

Amendment No. 1 to HB0319

Ragan
Signature of Sponsor

AMEND Senate Bill No. 46*

House Bill No. 319

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by deleting subdivision (17).

SECTION 2. Tennessee Code Annotated, Section 4-29-244(a), is amended by inserting the following as a new subdivision:

() Consumer services division within the Tennessee public utility commission, created by § 65-4-118;

SECTION 3. Tennessee Code Annotated, Section 65-4-118, is amended by deleting the section and substituting:

(a)

(1) There is created a consumer services division within the Tennessee public utility commission that is responsible for the following:

(A) Monitoring the quality of services provided by the regulated utilities;

(B) Enforcing the rules of the commission;

(C) Receiving, investigating, and mediating consumer complaints involving regulated utilities; and

(D) Representing the interests of consumers of regulated public utilities services in this state.

(2) The consumer services division may include attorneys, accountants, financial analysts, economists, support personnel, and other personnel as

determined by the executive director to be appropriate and necessary to accomplish the purposes of this section.

(3) The division's work product is not accessible to the commission.

(b)

(1) The consumer services division has the authority to represent the interests of consumers of public utilities services in this state. The division may, with the approval of the executive director, participate or intervene as a party in a matter or proceeding before the commission and initiate the proceeding, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and the rules of the commission.

(2) If the consumer services division concludes that the division is without sufficient information to initiate a proceeding, then the division may petition the commission, after notice to the affected utility, to obtain information from the utility. The petition must state with particularity the information sought and the type of proceeding that may be initiated if the information is obtained.

Additionally, the division may request information from the commission staff, and, if the commission staff is in possession of the requested information, the information must be provided within ten (10) days of the request.

(c) If the consumer services division initiates an appeal of a commission decision, then the defense of the appeal is the responsibility of the commission through the commission's legal staff.

(d) The consumer services division may enter into agreements regarding the nondisclosure of trade secrets or other confidential commercial information obtained by the division.

SECTION 4.

(a) The consumer advocate division in the office of the attorney general and reporter terminates and ceases to exist on the effective date of this act.

(b) All of the consumer advocate division in the office of the attorney general and reporter's case files and records must be transferred to the consumer services division within the Tennessee public utility commission.

SECTION 5. This act takes effect June 30, 2021, the public welfare requiring it.